

Feb 21, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JEANIE T.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO. 2:19-CV-00279-SAB

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 15. The motion was heard without oral argument. The parties stipulate that the above-captioned case be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). The parties further agree that reasonable attorney fees shall be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, ECF No. 15, is **GRANTED**.

2. The decision denying benefits is **REVERSED** and **REMANDED** for further administrative proceedings. On remand, the Administrative Law Judge ("ALJ") shall further develop the record, update the medical records, offer Plaintiff the opportunity for a hearing, and issue a new decision. The ALJ shall also:

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- Reevaluate whether the severing of Plaintiff's impairments meet or medically equal the severity of a listed impairment with the assistance of medical expert testimony;
- Provide specific reasoning for the weight given to opinion evidence, discussing the evidentiary basis for conclusions;
- Reassess Plaintiff's maximum residual functional capacity if warranted by the expanded record
- If warranted, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on Plaintiff's ability to perform other work in the national economy; and
- Take any further action needed to complete the administrative record and issue a new decision.

3. This remand is made pursuant to 42 U.S.C. § 405(g).

4. Plaintiff's Motion for Summary Judgment, ECF No. 11, is **DISMISSED as moot**.

5. Upon proper presentation, this Court shall consider Plaintiff's application for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

6. The District Court Executive is directed to enter judgment in favor of Plaintiff and against Defendant.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to file this Order, provide copies to counsel, enter judgment, and **close** this file.

**DATED** this 21st day of February 2020.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, written over a horizontal line.

Stanley A. Bastian  
United States District Judge